

EXHIBIT “B”

<p>1 A. Yes.</p> <p>2 Q. Recently?</p> <p>3 A. No.</p> <p>4 Q. Really it's a simple</p> <p>5 process. I ask questions, and if your</p> <p>6 counsel doesn't object or instruct you</p> <p>7 otherwise, you respond to them. The few</p> <p>8 rules are: you have to give verbal</p> <p>9 responses because the court reporter who</p> <p>10 is here can't take down a nonverbal</p> <p>11 response. We have to make an effort not</p> <p>12 to speak at the same time because that's</p> <p>13 difficult for the court reporter to take</p> <p>14 down. And, finally, it's real important</p> <p>15 that you're answering what I've asked.</p> <p>16 So, therefore, if at any time, for any</p> <p>17 reason, you don't understand what I've</p> <p>18 said, I'm speaking too quickly, I've used</p> <p>19 a word you don't know, you haven't heard</p> <p>20 me, whatever reason, please ask me to</p> <p>21 repeat or rephrase and I'll do that;</p> <p>22 because if you do answer my question, I</p> <p>23 will assume that you have understood it.</p> <p>24 Is that acceptable to you, sir?</p>	<p>1 Environmental.</p> <p>2 Q. When did you open up EHS</p> <p>3 Laboratories? In 1996?</p> <p>4 A. Yeah. In '96 we started</p> <p>5 doing work as EHS Laboratories after we</p> <p>6 sold Environmental Hazard Services.</p> <p>7 Q. And when you say "we," who</p> <p>8 is we?</p> <p>9 A. Just me and my employees.</p> <p>10 Q. All right. EHS</p> <p>11 Laboratories, bring me forward from</p> <p>12 there, if you could, please.</p> <p>13 A. EHS Laboratories, we changed</p> <p>14 names to EHS Environmental and have</p> <p>15 continued to work as EHS Environmental</p> <p>16 since then.</p> <p>17 Q. What was the business of EHS</p> <p>18 Laboratories, what did they do?</p> <p>19 A. We did building surveys,</p> <p>20 asbestos air monitoring and airborne</p> <p>21 sample analysis for asbestos.</p> <p>22 Q. And EHS Environmental, that</p> <p>23 included the business of EHS</p> <p>24 Laboratories?</p>
<p>1 A. Yes.</p> <p>2 Q. Why don't you give me a</p> <p>3 little background about yourself, sir.</p> <p>4 Give me your educational background and</p> <p>5 your employment history.</p> <p>6 A. B.S. in chemistry from</p> <p>7 Widener University in 1980. I started</p> <p>8 working for Scott Environmental doing</p> <p>9 sewer submission sampling and analysis.</p> <p>10 In 1982 I went to work for Reliance</p> <p>11 Insurance Company doing analytical work</p> <p>12 in their laboratory.</p> <p>13 Q. What year was that?</p> <p>14 A. 1982.</p> <p>15 Q. Okay.</p> <p>16 A. In 1984 Allen Sutherland and</p> <p>17 myself started Accredited Environmental</p> <p>18 Solutions mostly doing asbestos work and</p> <p>19 surveys. In 1988 Allen and I split and I</p> <p>20 started Environmental Hazard Services.</p> <p>21 In 1996 I sold Environmental Hazard</p> <p>22 Services and opened up EHS Environmental</p> <p>23 which became EHS -- opened up EHS</p> <p>24 Laboratories which became EHS</p>	<p>1 A. It's the same business, we</p> <p>2 just changed the name because we weren't</p> <p>3 doing laboratory services anymore. When</p> <p>4 we sold Environmental Hazard Services we</p> <p>5 sold off the laboratory services.</p> <p>6 Q. And EHS Environmental began</p> <p>7 to do laboratory services as well?</p> <p>8 A. No. The only,</p> <p>9 quote/unquote, "laboratory services" EHS</p> <p>10 Environmental does is airborne asbestos</p> <p>11 sample analysis in the field.</p> <p>12 Q. Now, in '96 you say you sold</p> <p>13 Environmental Hazard Services, Inc.; is</p> <p>14 that correct?</p> <p>15 A. Yes.</p> <p>16 Q. And what was the business of</p> <p>17 Environmental Hazard Services, Inc.?</p> <p>18 A. Environmental Hazard</p> <p>19 Services, Inc., did building surveys as</p> <p>20 well as laboratory services for asbestos:</p> <p>21 bulk samples, asbestos air samples and</p> <p>22 lead.</p> <p>23 Q. In this case Environmental</p> <p>24 Hazard Services, Inc., performed a Phase</p>

<p>14</p> <p>1 Q. Now, I asked questions about</p> <p>2 the Phase 1 analysis because that's what</p> <p>3 I'm familiar with in this case. After</p> <p>4 you sold off whatever you sold off to</p> <p>5 EHSI, what were you still entitled to do?</p> <p>6 A. Collection of samples and</p> <p>7 Phase 1s. Building surveys. I could</p> <p>8 still do basically anything; there was</p> <p>9 not really a non-compete to not continue</p> <p>10 to do sample analysis, but we chose not</p> <p>11 to until several years later when we</p> <p>12 started doing asbestos analysis for air</p> <p>13 samples.</p> <p>14 Q. I'm looking at page 14,</p> <p>15 paragraph 11. When you say there really</p> <p>16 weren't any covenants or whatever, I'm</p> <p>17 looking and it says "Post-closing</p> <p>18 Covenants." And this is what you're</p> <p>19 referring to as what you were restricted</p> <p>20 to do and not were restricted to do?</p> <p>21 A. Yes.</p> <p>22 Q. There weren't any other</p> <p>23 agreements indicating what you could do</p> <p>24 and couldn't do competitively, were</p>	<p>16</p> <p>1 Laboratories, you changed the name to</p> <p>2 become EHS Environmental; is that</p> <p>3 correct?</p> <p>4 A. Yes.</p> <p>5 Q. So they're the same</p> <p>6 corporate structure, though; is that</p> <p>7 correct?</p> <p>8 A. Yes.</p> <p>9 Q. You are the sole</p> <p>10 shareholder?</p> <p>11 A. Yes.</p> <p>12 Q. Are there any other officers</p> <p>13 of EHS Environmental other than yourself?</p> <p>14 A. No.</p> <p>15 Q. Now, that was true of</p> <p>16 Environmental Hazard Services, Inc., as</p> <p>17 well, was it not?</p> <p>18 A. Yes.</p> <p>19 Q. So EHS Laboratories, which</p> <p>20 became EHS Environmental, continued to do</p> <p>21 the same sort of Phase 1 evaluations or</p> <p>22 Phase 1 work that Environmental Hazard</p> <p>23 Services, Inc., did, did they not?</p> <p>24 A. Yes.</p>
<p>15</p> <p>1 there?</p> <p>2 A. No.</p> <p>3 Q. Now, this protected list of</p> <p>4 customers, this "Schedule Of Clients,"</p> <p>5 this is now March 23, '95, the date of</p> <p>6 the agreement, how far back did this</p> <p>7 schedule of customers go? Was it '95?</p> <p>8 '94? '93? '92? Forever? What was it?</p> <p>9 A. I'm not sure.</p> <p>10 Q. Now, you formed EHS</p> <p>11 Laboratories directly after you sold</p> <p>12 Environmental Hazard Services, Inc.; is</p> <p>13 that correct?</p> <p>14 A. No.</p> <p>15 Q. How long a time went by</p> <p>16 before you formed it?</p> <p>17 A. No time went by. EHS</p> <p>18 Laboratories was formed before we sold</p> <p>19 it.</p> <p>20 Q. Within a few months or a</p> <p>21 year?</p> <p>22 A. I think EHS Laboratories was</p> <p>23 incorporated around 1992.</p> <p>24 Q. And you're saying EHS</p>	<p>17</p> <p>1 Q. Called on the same customers</p> <p>2 that they had before?</p> <p>3 A. Yes.</p> <p>4 Q. Sir, this case began as a</p> <p>5 Complaint filed in federal court, it's a</p> <p>6 matter of public record. You've seen a</p> <p>7 copy of this Complaint; is that correct?</p> <p>8 A. Yes.</p> <p>9 Q. And an Answer was filed by</p> <p>10 your former counsel on or about August 2,</p> <p>11 2002. Did you see a copy of that before</p> <p>12 it was filed?</p> <p>13 A. I don't believe so.</p> <p>14 Q. Did you discuss this Answer</p> <p>15 with your former counsel before it was</p> <p>16 filed?</p> <p>17 A. Yes, I believe so.</p> <p>18 Q. Did you discuss with him the</p> <p>19 items, without going into as to what you</p> <p>20 discussed, the items in the Complaint and</p> <p>21 the fact that an Answer was going to have</p> <p>22 to be filed?</p> <p>23 A. Yes.</p> <p>24 Q. And he asked you how to, you</p>